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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

R.H., a minor, by and through his guardian ad  
litem Tera Palmer,

Plaintiff,

v.

Coastal Grove Charter School,  
  
Defendant.

CASE NO.: ~~TBD~~ 1:25-cv-00826-RMI

**~~[PROPOSED]~~ ORDER APPOINTING  
GUARDIAN AD LITEM**

On January 10, 2025, Tera Palmer, as proposed guardian ad litem of R.H., a minor child, and Defendant Coastal Grove Charter School (“the Charter”), filed a Joint Petition for Approval of Minor’s Compromise. The same day, Plaintiff R.H. filed a motion to appoint his father, Chris Hatton, as guardian ad litem.

“To maintain a suit in a federal court, a child or mental incompetent must be represented by a competent adult.” *Doe ex rel. Sisco v. Weed Union Elementary School Dist.*, 2:13-cv-01145, 2013 WL 2666024 at \*1 (E.D. Cal. June 12, 2013) (citation omitted). Rule 17(c) governs the appearance of minors and incompetent person in federal court. Rule 17(c)(1) prescribes: “The following representative may sue or defend of behalf of a minor or incompetent person: (A) a general guardian; (B) a committee; (C) a conservator; or (D) a like fiduciary.” Rule 17(c)(2)

1 states that, “[a] minor or an incompetent person who does not have a duly appointed  
2 representative may sue by a next friend or by a guardian ad litem. The court must appoint a  
3 guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person  
4 who is unrepresented in an action.”

5 A court has broad discretion in ruling on a *guardian ad litem* application. *Basque v. Cty.*  
6 *of Placer*, 2017 U.S. Dist. LEXIS 117290 at \*2 (E.D. Cal. July 26, 2017). In general, a parent is  
7 presumed to act in his or her child’s best interest. *See Parham v. J.R.*, 442 U.S. 584, 604 (U.S.  
8 1979) (noting general presumption that parents are presumed to act in the child’s best interest).  
9 Upon review, the Court finds Plaintiff R.H.’s motion to appoint ~~Chris Hatton~~ Tera Palmer as his  
10 *guardian ad litem* should be granted. ~~Mr. Hatton~~ Ms. Palmer, as Plaintiff R.H.’s ~~father~~ mother,  
11 is presumed to act in his best interests, and there is nothing before the Court to undermine that  
12 presumption here.

13 Accordingly, **IT IS ORDERED** that:

- 14 1. Plaintiff R.H.’s “Petition for Guardian ad Litem” is GRANTED; and  
15 2. Tera Palmer is hereby appointed as Plaintiff R.H.’s guardian ad litem.

16  
17 Dated: January 31, 2025

  
UNITED STATES DISTRICT JUDGE  
Magistrate